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*Attorneys for Tucker Defendants, Counterclaimants,*

*And Third-Party Claimants*

**IN THE UNITED STATES DISTRICT COURT**

**IN AND FOR THE DISTRICT OF ARIZONA**

Labor Smart, Inc.

Plaintiff,

v.

Jason and Melissa Tucker,

Defendants.

And related Counterclaims  
and Third-Party Claims.

Case No. 2:22-cv-00357-PHX-DJH

**JOINT STATUS REPORT**

(Before the Hon. D. Humetewa)

Pursuant to the Court's Scheduling Order (Doc. 212, ¶8), undersigned counsel and Spencer Freeman each attempted to contact Plaintiff's Counsel (Paul Levine) for the purpose of drafting a Joint Status Report as ordered (regarding the status of settlement efforts). Mr. Levine acknowledged receipt of both counsels' messages but has not yet participated in a Joint Report. To avoid missing the deadline, undersigned counsel (Manolio) and counsel Freeman jointly file this Status Report to advise:

After Judge Tuchi entered the prior Scheduling Order (Doc. 193), the Motion to Disqualify the Tuckers' Counsel (Doc. 195) was filed/pending. The Tuckers' counsel agreed to postpone scheduling a settlement conference with Magistrate Judge Kimmons until the disqualification issue was resolved, for fear that settlement may be affected or rendered null. Now that this Court has resolved the disqualification issue and has permitted the Tuckers' counsel to continue representation, the Tuckers fully agree that

1 settlement should be promptly revisited and a settlement conference should be completed  
2 as soon as possible with the assigned Magistrate Judge.

3 These counsel now jointly ask that this Court allow additional time for them to  
4 contact Magistrate Judge Kimmons' court for scheduling an in-person settlement  
5 conference to occur no later than **June 30, 2025**. This deadline is suggested so that, if  
6 settlement is not successful, the Parties can still timely comply with the Court's current  
7 scheduling Order (Doc. 212) and in the interest of expediency given the prior delay.

8 This request is made in good faith, and undersigned files with permission and  
9 agreement of Spencer Freeman to make this a "joint" request of these counsel. This  
10 pleading is not intended to assert Mr. Levine's position, since he has not yet made his  
11 position known.

12 RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of May, 2025.

13 **MANOLIO & FIRESTONE, PLC**

14 By: /s/ Veronica L. Manolio  
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